

Minutes
County Road Administration Board
July 11-12, 2002
CRAB Office – Olympia, Washington

Members Present: Grant County Commissioner Tim Snead, Chair
 Asotin County Commissioner Don Scheibe, Vice-Chair
 Ken Stone, Cowlitz County Engineer
 Randy Casteel, Kitsap County Engineer
 Clark County Commissioner Judie Stanton*
 Garfield County Commissioner Dean Burton
 Robert Breshears, Lincoln County Engineer

Members Absent: Pierce County Council Member Harold Moss
 Walla Walla County Commissioner Dave Carey

Staff Present: Jay Weber, Executive Director
 Walt Olsen, Deputy Director
 Steve Hillesland, Assistant Director
 Karen Pendleton, Executive Assistant
 Chris Mudgett, Special Projects Manager
 Randy Hart, Grant Programs Manager
 Dave Whitcher, PMS Manager*
 Jim Ayres, Design Systems Engineer*
 Steve Dietrich, CRAB Attorney*

Guests: Reid Wheeler, Consultant*
 Denise Tabler, Office of Financial Management/SACS*

CALL TO ORDER

Chair Snead called the County Road Administration Board quarterly meeting to order at 1:00 PM on Thursday, July 11, 2002, at the CRAB Office in Olympia.

CHAIR'S REPORT

Introduction of New CRABoard Member

Chair Snead introduced Clark County Commissioner Judie Stanton to the Board and thanked the Commissioner for serving as a Board member.

**first day attendance only*

Approve July 11-12, 2002 Agenda

Commissioner Burton moved and Mr. Casteel seconded to approve the meeting agenda. **Motion carried.**

Elect Chair and Vice-Chair

Chair Snead opened the floor for nominations for Chair and Vice-Chair.

Mr. Casteel nominated Commissioner Snead to continue as Chair, Commissioner Burton seconded the nomination. **Motion carried.**

Commissioner Burton nominated Commissioner Scheibe to continue as Vice-Chair, Mr. Stone seconded the nomination. **Motion carried.**

Mr. Casteel motioned to elect Commissioner Snead as Chair and Commissioner Scheibe as Vice-Chair, Commissioner Burton seconded. **Motion carried.**

Approve Minutes of April 18-19, 2002 CRABoard Meeting

Commissioner Snead moved and Commissioner Scheibe seconded to approve the minutes of the April 18-19, 2002, CRABoard meeting. **Motion carried.**

DIRECTOR'S REPORT

New CRABoard Re-Appointments

Mr. Weber announced the reappointments of Commissioner Snead, Commissioner Stanton, and Mr. Breshears to the Board.

Director's Activities/County Visits

Mr. Weber briefed the Board on his and Mr. Olsen's recent county visits to Garfield, Klickitat, Pierce, Franklin, Clallam, and Jefferson Counties. He concluded by discussing his involvement in the CPO training in Bellevue and thanked Ms. Mudgett for her work and commitment to the CPO training.

Temporary Secretary Appointment

Mr. Weber announced that in late May, Cheryl Heinemeyer was called to active duty with the US Air Force. CRAB has hired Gale Mitchell on a temporary basis until Cheryl returns.

Certifying the Master Roadlog – Resolution 2002-009

Mr. Weber presented Resolution 2002-009 to certify the master county roadlog to reflect the county road system as of January 1, 2002. He

noted that staff is working with the single County that is not in substantial compliance in order to bring them into substantial compliance. After discussion, Vice-Chair Scheibe moved and Mr. Casteel seconded to approve Resolution 2002-009. **Motion carried.**

2003 Gas Tax Allocation Factors

Mr. Whitcher reviewed a letter to be mailed to all County Legislative Authorities regarding regular Motor Vehicle Fuel Tax Allocation Factors and County Arterial Preservation Program Allocation factors for calendar year 2003.

DEPUTY DIRECTOR'S REPORT

County Engineers/Public Works Directors

Mr. Olsen announced that no county engineer vacancies have occurred since the April CRABoard meeting. Pend Oreille continues under Acting Engineer status and is currently holding discussions with Stevens County staff regarding the feasibility of contracting with Stevens County for county engineering services. He concluded by noting that San Juan County continues under Interim Engineer status.

Commissioner Burton moved and Mr. Stone seconded to approve a six-month extension to Pend Oreille County for their acting appointment of Acting County Engineer Ron Curren. **Motion carried.**

State Auditor's Report

Mr. Olsen noted that CRAB has received 3 audits since the April 2002 Board meeting. Specifically:

1. Stevens County: SAO # 63207 issued on April 19, 2002 covering the period of January 1, 2000 to December 31, 2000. This audit did not detail any findings involving County Road Funds.
2. Lewis County: SAO # 63248 and # 63249 issued on April 26, 2002 covering the period of January 1, 2000 to December 31, 2000. Audit #63249 issued a finding based on unallowable and unsupportable costs billed to Federal Highway Administration in connection with three Federal Aid projects constructed in Lewis County. The County cited installation of new accounting software and staff turnover as contributing factors. All questioned costs were repaid to the grantor agency.

3. Skagit County: SAO # 63300, a Special Audit Report, issued on May 17, 2002 covering the period of June 1, 2001 to January 3, 2002. This audit did not detail any findings involving County Road Funds.

Activities

Mr. Olsen reviewed a list of county visits he and Mr. Weber had made to Garfield, Klickitat, Pierce, Franklin, Clallam, and Jefferson counties. He concluded by noting other activities and informal visits he has completed since the April 2002 CRABoard meeting.

BUDGET

Ms. Tabler reviewed CRAB's current budget status through July 8, 2002. Mr. Hart briefed the Board on the current and projected RAP spending.

PUBLIC HEARING

Chair Snead opened the public hearing at 2:00 p.m.

WAC 136-18

Chair Snead called for staff presentation regarding WAC 136-18 Standard of Good Practice-Day Labor Construction. Ms. Mudgett reviewed the proposed WAC revision, which included four criteria to be considered when determining whether a county had unreasonably exceeded its day labor limit. Ms. Mudgett indicated that staff's recommendation was that the Board adopt the proposed new WAC 136-18-085.

Chair Snead opened the floor for public testimony. Hearing none, Chair Snead moved to close the public hearing regarding WAC 136-18; Mr. Stone seconded. **Motion carried.**

After discussion, Vice-Chair Scheibe moved and Mr. Stone seconded to adopt the new section WAC 136-18-085. **Motion carried.**

WAC 136-04-020

Chair Snead called for staff presentation regarding WAC 136-04-020 Standard of Good Practice - Inquiry by the County Road Administration Board. Ms. Mudgett stated that the purpose of the revision is to provide time between the approval of the questionnaire and its distribution to the counties to address with the counties any modifications to the questionnaire that may have occurred since the previous year. In addition, it assigns a date certain for distribution of the document to the counties. Ms. Mudgett indicated that staff's recommendation was that the Board adopt the proposed revision to WAC 136-04-020.

Chair Snead opened the floor for public testimony. Hearing none, he asked for a motion to close the Public Hearing. Vice-Chair Scheibe moved and Mr. Stone seconded to close the public hearing regarding WAC 136-04-020. **Motion carried.**

After discussion, Mr. Stone moved and Mr. Casteel seconded to adopt the proposed revision to WAC 136-04-020. **Motion carried.**

WAC 136-12

Chair Snead called for staff presentation regarding WAC 136-12 Standards of Good Practice – Vacancy in Position of County Engineer. Ms. Mudgett noted that the revisions to WAC 136-12-010, 136-12-070 and 136-12-080 were necessitated by legislation passed during the 2002 session that allows any county, regardless of population, to employ a part-time or contract county engineer. Previously, only counties with a population of 8,000 or less had that option.

At its April meeting, the Board discussed issues raised by staff concerning the WACs relating to the filling of county engineer vacancies. These WAC revisions are intended to clarify the process by setting specific timelines for notifying CRAB of a vacancy in the position of county engineer as well as notification when the position has been filled.

After the proposed WAC revisions had been published, staff, while completing a final review for today's public hearing, noticed two areas that should have been included. The amendments are as follows:

1. Striking the last sentence of WAC 136-12-010
2. Adding the following sentence to the beginning of the first paragraph in of chapter 136-12-020: "*It is unavoidable that vacancies will occur from time to time in the position of county engineer.*"
3. Changing the first sentence of WAC 136-12-070 to read as follows: "*County engineer in counties that choose to employ a part-time county engineer or a contract county engineer.*"

On July 1, 2002 the following comments were received via e-mail from the Adams County Engineer:

"WAC 136-12-045 Notification of hiring.

The five working days is too short a time for part-time Boards of County Commissioners that only do business once a week. 15 or

20 WD would be better.”

“WAC 136-12-045 Notification of hiring.

- a. five days to short as above.
- b. Does everyone have e-mail? (it is listed as “shall include”)
- c. The org chart may not change so there would be no revised chart. Names are usually not part of the org chart. (it is listed as “shall include.”)

Ms. Mudgett indicated that staff’s recommendation was that the Board adopt the proposed revision to include the amendments to WAC 136-12-010, 136-12-070 and 136-12-080.

Chair Snead opened the floor for public testimony. Mr. Reid Wheeler, WMS Consulting, testified that five days was not a sufficient amount of time and that submitting an org chart with no changes should not be necessary. After Mr. Wheeler’s testimony, Chair Snead asked for a motion to close the Public Hearing. Mr. Stone moved and Vice-Chair Scheibe seconded to close the public hearing regarding WAC 136-12-010, 136-12-070 and 136-12-080.

After discussion, Mr. Stone moved and Mr. Casteel seconded to adopt the proposed revision with amendments as outlined in attached CR-103.

Motion carried.

WAC 136-50 and 136-10

Chair Snead called for staff presentation regarding the creation of WAC 136-50 and the repealing of the entire chapter 136-10. Ms. Mudgett noted that as part of the April Board discussion of the content of the Annual Certification Questionnaire, there was a request to make the WAC that includes the requirement for certain county legislative policies a Standard of Good Practice and to clarify the title of the WAC, which previously read, “Relationship of County Engineer and County Legislative Authority”.

The proposed WAC changes the title to “Standards of Good Practice – Statutory Relationship Between County Engineer and County Legislative Authority – Adoption of Written Policies”, which more accurately reflects the content of the WAC. Most of the text of the revised WAC was lifted from the old WAC, although minor revisions were made to make the content more understandable. After the proposed WAC revisions had been published, staff, while completing a final review for today’s public

hearing, noted four areas that should have been reworded to provide greater clarity. These changes are as follows:

1. WAC 136-50-010 – Remove sentence referring to County CAO.
2. WAC 136-50-050 – in the first sentence after written policies, add "*within the limits of existing state law,*".
3. WAC 136-50-051 – Add the word "*retained*" in the second paragraph after chart shall be.
4. WAC 136-50-052 – In the last sentence after such policy shall be adding the word "*retained*".

On July 1, 2002, the following comments were received via e-mail from the Adams County Engineer.

"WAC 136-50 Standards of good practice.
I do not see a lot of real changes. Why the need for new language?"

Ms. Mudgett indicated that staff recommends that the Board adopt the new WAC 136-50, including the proposed amendments and repeal WAC 136-10.

Chair Snead opened the floor for public testimony. Hearing none, asked for a motion to close the Public Hearing. Vice-Chair Scheibe moved and Mr. Casteel seconded to close the public hearing regarding WAC 136-50 and 136-10. **Motion carried.**

After discussion, Vice-Chair Scheibe moved and Commissioner Burton seconded to adopt the new WAC 136-50 including the proposed amendments and repeal the entire WAC 136-10. **Motion carried.**

RAP BUSINESS

Program Status Report

Mr. Hart reviewed a one-page Rural Arterial Program status report.

Resolution 2002-010 – Apportionment of RATA Funds

Mr. Hart presented Resolution 2002-010 to apportion RATA funds to regions. The accrued amount of \$4,526,573 now credited to RATA would be apportioned to the regions by the established 2001/2003 biennium regional percentages after setting aside \$135,797 (3%) for administration.

After discussion, Mr. Stone moved and Vice-Chair Scheibe seconded to approve Resolution 2002-004. **Motion carried.**

Regional Meeting Update

Mr. Hart reviewed highlights of spring regional RAP meetings. There have been discussions regarding the need for deviation approval on 3R scope projects. CRAB staff has requested that counties gain deviation approval from WSDOT when any project will be designed below full reconstruction standards even though the county is pursuing a 3R scope of work. The WSDOT has been hesitant, however, to make a determination - especially when no federal funds are involved.

At a June 11, 2002, Design Standards Committee meeting WSDOT H&LP staff mentioned that the LAG manual lists safety items the engineer "should consider" if the project is 3R. "Should consider" in this case means the engineer documents why the road safety feature will not be improved to full design standards.

Review of the wording for the current WAC rules as well as the requirements in the LAG for design deviation is warranted, in order to clarify this process. This may allow counties to skip the deviation process if the prospectus specifies a 3R scope clearly.

Cowlitz County Scope Reduction

Mr. Hart reported that Cowlitz County has requested a 0.47 mile reduction in length for South Silver Lake Road. This is a 41% reduction to the original project.

The South Silver Lake Road project was funded by the CRABoard on April 8, 1999, with \$486,000 in RATA funds awarded to the county. The scope of work as originally submitted to CRAB included roadway improvements between milepost 0.90 and 2.05. The county has recently corrected the milepost limits to 0.81 to 1.96. Subsequent preliminary engineering has determined that improvements to the last 0.47 miles of the project would require extensive right-of-way acquisition, driving total project costs to \$1,100,000, and therefore requiring county funding far beyond the planned amount.

The county is requesting the project be terminated at milepost 1.49. This will allow the realignment work to tie back into the existing roadway alignment at an appropriate location, and allow an opportunity to phase the project for future improvements on the deleted section.

Mr. Hart indicated that he has reviewed the funding request and that he reviewed the project site on June 28, 2002, and recommends the CRABoard approve this reduction, to milepost 0.81 – 1.49.

After discussion, Commissioner Burton motioned and Vice-Chair Scheibe seconded to approve Cowlitz County's request to reduce the scope of their South Silver Lake Road, RAP Project 0899-01. **Motion carried.** Mr. Stone sustained.

Mason County Scope Increase

Mr. Hart reported that Mason County, per its letter dated April 15, 2002 has requested a scope change for their Grapeview Loop Road project. The request is to increase the original project limits (milepost 3.50 to 5.90) 1.03 miles to include a substandard curve adjacent to its northern end. The road would be improved from milepost 3.50 to milepost 6.93 with no additional RATA funding.

On April 12, 1995, the CRABoard approved funding for three Grapeview Loop Road projects involving mileposts 3.50 – 4.43, 4.43 – 5.90 and 6.93 – 7.98. The latter section was completed in 1996, while the first two are scheduled for construction in 2003. These two sections, being adjacent to each other, were combined into one CRAB/County contract per the county's request dated March 12, 2002. The county plans also to improve the currently RAP unfunded section from milepost 5.90 – 6.93 next year as well, and requests that the existing RAP project, milepost 3.50 – 5.90 be lengthened to include it. At the time of submittal this length of project was appropriate given funding available. The county will provide all additional funding needed to make the required design standard improvements throughout the project, mileposts 3.50 to 6.93.

Mr. Hart concluded by noting that he had reviewed the project site on June 28, 2002, and recommends approval of Mason County's scope change request, establishing the new project limits as milepost 3.50 to milepost 6.93.

After discussion, Mr. Stone moved and Vice-Chair Scheibe seconded to approve Mason County's scope change request, establishing the new project limits as milepost 3.50 to milepost 6.93. **Motion carried.**

Skagit County – Moratorium on Lapsing of Prairie Road

Mr. Hart announced that Skagit County has requested a lapsing moratorium be placed on its Prairie Road Project, RAP project number 2997-05.

RATA funding was approved for the Prairie Road project on October 4, 1996. This funding is due to lapse on October 4, 2002. In anticipation of CRAB's regional payout restrictions, which were adopted January 11, 2001, the NW Region engineers rescheduled their funded projects through the year 2007. Prairie Road was subsequently rescheduled for 2006 and 2007 construction. Since current lapsing rules allow for only a two-year extension unless CRAB initiates the delay, extension of the Prairie Road project will require a moratorium on the current lapsing date.

Skagit County now plans to build the project in 2007. Staff therefore recommends that the CRABoard place a moratorium on the October 4, 2002, lapsing of Skagit County's Prairie Road project and set a new lapsing date of December 31, 2007.

After discussion, Mr. Stone moved and Mr. Casteel seconded to place a moratorium on the October 4, 2002, lapsing of Skagit County's Prairie Road project, and set a new lapsing date of December 31, 2007. **Motion carried.**

NEW BUSINESS

Road Fund Interest Issue

Mr. Olsen and Mr. Weber briefed the Board on questions and concerns that have been raised about whether interest earned on certain money in the County Road Fund can be used to benefit a county's general fund.

Mr. Weber reviewed a letter to Mr. Vogler, WSAC, from Washington State Auditor Brian Sonntag stating that the Auditor's office has met with representatives from WSAC, WACO, and CRAB to discuss insights they had that might alter the analysis. During the meeting, some issues were raised regarding the definition of motor vehicle license fees and gas tax proceeds that the Auditor's Office plans to address before they ask the counties to change the way they do business.

Road Design Conference

Mr. Ayres briefed the Board on scheduled activities for the upcoming Road Design Conference to be held in Richland on September 25 – 27, 2002.

CONFERENCE CALL PRESENTATION – KELSEY GRAY, WSU**Cliental Performance Survey**

Kelsey Gray, WSU, via teleconference briefed the Board on her recently completed Clientele Performance Survey. The following topics were discussed:

Information Technology (Mobility)

Engineering Support

What is the CRABoard's Role?

The role of the CRABoard is critical

Identify what is unique about CRAB.

Expand focus and duties to defend CRAB against consolidation.

Chair Snead recessed at 5:00 PM on July 11, 2002. The CRABoard meeting will resume July 12, 2002 at 9:00 A.M.

**County Road Administration Board
July 12, 2002
Friday**

CALL TO ORDER

The second day of the summer CRABoard meeting was called to order by Chair Snead at 9:00 AM on July 12, 2002.

OLD BUSINESS

Annual Certification Form for 2002

Ms. Mudgett reviewed the new Annual Certification form for consideration of adoption by the Board at their October CRABoard meeting.

Certified Public Official Training

Mr. Weber briefed the Board on CRAB's partnership with WSAC in professional development through the certified public official training.

Mobility Update

Mr. Weber briefed the Board on current status of the Mobility Project.

Chair Snead adjourned at 10:40 PM.

Chairman

ATTEST: _____